



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE ANGEL DIAZ-VALDEZ,

Defendant.

2:13-CR-152-KJD-(VCF)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on October 22, 2013, defendant JOSE ANGEL DIAZ-VALDEZ pled guilty to Count One of a One-Count Indictment charging him in Count One with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 26; Plea Agreement, ECF No. 27.

This Court finds defendant JOSE ANGEL DIAZ-VALDEZ agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment. Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 26; Plea Agreement, ECF No. 27.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment and the offense to which defendant JOSE ANGEL DIAZ-VALDEZ pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 1 1. a Mossberg 590 12-gauge shotgun, with a 21 inch barrel and serial number
- 2 P019307; and
- 3 2. any and all ammunition ("property").

4 This Court finds the United States of America is now entitled to, and should, reduce the
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
7 United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
9 JOSE ANGEL DIAZ-VALDEZ in the aforementioned property is forfeited and is vested in the United
10 States of America and shall be safely held by the United States of America until further order of the
11 Court.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
13 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
14 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
15 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
16 name and contact information for the government attorney to be served with the petition, pursuant to
17 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
19 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
21 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
22 following address at the time of filing:

23 Michael A. Humphreys
24 Assistant United States Attorney
25 Lloyd D. George United States Courthouse
26 333 Las Vegas Boulevard South, Suite 5000
 Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 22nd day of Oct. 2013.

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9 UNITED STATES DISTRICT JUDGE
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